

STAND. COM. REP. NO.

1915

Honolulu, Hawaii

APR 19 2023

RE: H.C.R. No. 101
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred H.C.R. No. 101, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO REVIEW AND UPDATE THE RELEVANT CHAPTERS OF THE HAWAII REVISED STATUTES THAT RELATE TO MENTAL HEALTH AND INVOLUNTARY TRANSPORT, EXAMINATION, HOSPITALIZATION, AND TREATMENT, INCLUDING ASSISTED COMMUNITY TREATMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Department of Health to convene a working group to review and update the relevant chapters of the Hawaii Revised Statutes that relate to mental health and involuntary transport, examination, hospitalization, and treatment, including assisted community treatment.

Your Committee received testimony in support of this measure from the Department of Health, Judiciary, and one individual. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that provisions in the Hawaii Revised Statutes relating to mental health and involuntary transport, examination, hospitalization, and treatment, including assisted



community treatment, have been amended in a piecemeal manner over the past several decades, leading to a lack of clarity and statutory inconsistencies. This measure will assist in improving mental health services for the State's residents, including those unable to help themselves, by establishing a cohesive body of law that governs involuntary transport, examination, hospitalization, and treatment, including assisted community treatment.

Your Committee acknowledges the concern raised by the Department of Health pertaining to the insufficient time frame established in this measure, as currently written, to convene the working group, schedule working group meetings, and prepare and submit a draft of its report and necessary information to the Legislative Reference Bureau for the preparation of its final report. Your Committee also notes the concerns raised by the Legislative Reference Bureau pertaining to the lack of clarity in the scope of its involvement regarding the requests made in this measure. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

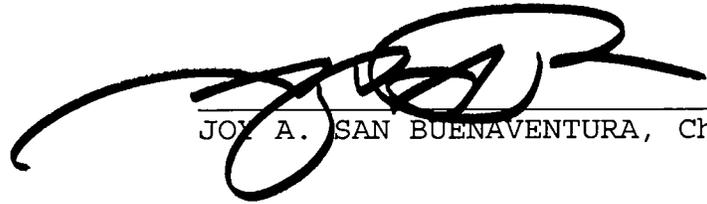
- (1) Extending the deadline by which the working group is requested to submit its draft report to the Legislative Reference Bureau, from August 1, 2023, to October 1, 2023;
- (2) Clarifying that the Legislative Reference Bureau requested to draft the proposed legislation that is to be included in the working group's report to the Legislature;
- (3) Amending its title to make a technical, nonsubstantive amendment; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 101, H.D. 1, as amended herein, and recommends its



adoption in the form attached hereto as H.C.R. No. 101, H.D. 1,
S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Health and Human
Services,



JOY A. SAN BUENAVENTURA, Chair



